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## **FEDERAL MARITIME COMMISSION**

### **Controlled Carriers under the Shipping Act of 1984**

**AGENCY:** Federal Maritime Commission.

**ACTION:** Notice.

**SUMMARY:** The Federal Maritime Commission is publishing an updated list of controlled carriers, i.e., ocean common carriers operating in U.S.-foreign trades that are owned or controlled by foreign governments. Such carriers are subject to special regulatory oversight by the Commission under the Shipping Act of 1984.

#### **FOR FURTHER INFORMATION CONTACT:**

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## **SUPPLEMENTARY INFORMATION:**

The Federal Maritime Commission is publishing an updated list of controlled carriers. Section 3(8) of the Shipping Act of 1984 (46 U.S.C. 40102(8)), defines a “controlled carrier” as an ocean common carrier that is, or whose operating assets are, directly or indirectly, owned or controlled by a government, with ownership or control by a government being described in the statute.

As required by the Shipping Act, controlled carriers are subject to special oversight by the Commission. Section 9(a) of the Shipping Act (46 U.S.C. 40701(b)), states that the Commission, at any time after notice and opportunity for a hearing, may prohibit the publication or use of a rate, charge, classification, rule, or regulation that a controlled carrier has failed to demonstrate is just and reasonable.

Congress enacted these protections to ensure that controlled carriers, whose marketplace decision-making can be influenced by foreign governmental priorities or by their access to non-market sources of capital, do not engage in unreasonable below-market pricing practices which could disrupt trade or harm privately-owned shipping companies.

The controlled carrier list is not a comprehensive list of foreign-owned or -controlled ships or ship owners; rather, it is only a list of ocean common carriers that are

controlled by governments. See 46 U.S.C. 40102(8). Thus, tramp operators and other non-common carriers are not included, nor are non-vessel-operating common carriers, regardless of their ownership or control.

Since the last publication of this list on August 22, 2012 (77 FR 51801), the Commission has newly classified two ocean common carriers as controlled carriers, CNAN Nord SPA (“CNAN”) and United Arab Shipping Company (S.A.G.) (“UASC”).

Pursuant to 46 CFR 501.23, CNAN was classified as a controlled carrier on September 23, 2014.

Pursuant to 46 CFR 501.23 and 565.4, UASC notified the Commission of its change in majority ownership by the State of Qatar on June 18, 2014, and after review, the Commission classified UASC as a controlled carrier on July 6, 2015.

It is requested that any other information regarding possible omissions or inaccuracies in this list be provided to the Commission’s Office of General Counsel. See 46 CFR 501.23. The amended list of currently classified controlled carriers and their corresponding Commission-issued Registered Persons Index numbers is set forth below:

- (1) American President Lines, Ltd. and APL Co. Pte. Ltd. (RPI No. 000240) – Republic of Singapore;

(2) COSCO Container Lines Company, Limited (RPI No. 015614) – People's Republic of China;

(3) China Shipping Container Lines Co., Ltd and China Shipping Container Lines (Hong Kong) Co., Limited (RPI No. 019270) – People's Republic of China;

(4) Hainan P O Shipping Co., Ltd. (RPI No. 022860) – People's Republic of China;

(5) CNAN Nord SPA (RPI No. 021980) – People's Democratic Republic of Algeria;

(6) United Arab Shipping Company (S.A.G.) (RPI No. 006256) – State of Qatar.

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Secretary

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